

[Docket No. 2711]

IN THE MATTER OF FOSTER-MILBURN COMPANY, A CORPORATION  
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR  
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony.

It is ordered, that Robert S. Hall, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Thursday, April sixteenth, 1936, at ten o'clock in the forenoon of that day, in room 823, 45 Broadway, New York, N. Y.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 235—Filed, April 8, 1936; 11:27 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[Release No. 737]

## SECURITIES ACT OF 1933

## AMENDMENT NO. 1 TO FORM D-1A

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933<sup>1</sup>, as amended, particularly Sections 7 and 19 (a) thereof, and finding that any information or documents specified in Schedule A of the Securities Act of 1933, as amended, which are not required to be set forth in Form D-1A, as hereby amended, are inapplicable to the class of securities to which such form is appropriate, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement, and that such information and documents as are required to be set forth in Form D-1A, as hereby amended, but which are not specified in Schedule A, are necessary and appropriate in the public interest and for the protection of investors, hereby amends Form D-1A as follows:

I. Immediately following the first paragraph under the heading "GENERAL INSTRUCTION" in Form D-1A, there is inserted a new paragraph reading as follows:

If a registration statement covering the new securities to be issued to the holders of Certificates of Deposit is filed at or before the time that a statement on Form D-1A is filed, no information need be given under the following items of Form D-1A: Items 5, 6, 7, 8, 9, 10, 11, 13, 14, 18, and 20.

II. Item 37 of Form D-1A is amended by striking out the words "Form E-1" and inserting in place thereof the words "a registration statement", so that the item, as amended, reads as follows:

Item 37. State whether a registration statement with respect to the new securities is being filed at the same time as this Form D-1A.

The foregoing amendments shall be effective upon publication.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 226—Filed, April 7, 1936; 2:48 p. m.]

[Release No. 567]

## SECURITIES EXCHANGE ACT OF 1934

## AMENDMENT NO. 1 TO FORM 13-K

The Securities and Exchange Commission, finding—

(1) that the requirements of Form 13-K for annual reports of insurance companies other than life and title

<sup>1</sup> 48 Stat. 74.

insurance companies, and the instruction book for Form 13-K, as herein amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered on national securities exchanges and as to which Form 13-K is to be used; and

(2) that the information called for by such form and instruction book, as herein amended, is required to keep reasonably current the information and documents filed pursuant to Section 12 of the Securities Exchange Act of 1934:

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 and 23 (a) thereof, hereby amends Form 13-K and the instruction book for Form 13-K, as follows:

Under the instructions to Item 14, "INSTRUCTIONS AS TO FINANCIAL STATEMENTS", the first paragraph under the caption "II. GENERAL", is amended by changing the period at the end of that paragraph to a comma and adding the following words:

except that such statements need not be certified.

so that the paragraph, as amended, reads as follows:

The statements of any subsidiary which is not an insurance company shall conform to the general requirements as to financial statements prescribed under such form of annual report as would be appropriate for use, if the subsidiary were itself a registrant, except that such statements need not be certified.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 225—Filed, April 7, 1936; 2:48 p. m.]

Friday, April 10, 1936

No. 20

## DEPARTMENT OF AGRICULTURE.

## Agricultural Adjustment Administration.

## 1936 SOIL CONSERVATION PROGRAM—NORTH CENTRAL REGION

[Bulletin No. 1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said act during 1936, in accordance with the following provisions and such other provisions as may hereafter be made:

## RATES AND CONDITIONS OF PAYMENT

Payment will be made, in connection with the utilization in 1936 of the land on any farm<sup>1</sup> in the North Central Region<sup>2</sup> of the United States, in the amounts and subject to the conditions hereinafter set forth:

1. *Soil Building Payments*.—Payment will be made for the planting of soil building crops on crop land<sup>3</sup> in 1936 and the carrying out of soil building practices on crop land or pasture in 1936, as such rates in any state, and for such crops and practices in any state, and upon such conditions as are recommended by the state committee for such state and approved by the Secretary: *Provided*, That the total soil building payment made with respect to any farm (a) shall not exceed an amount equal to \$1.00 for each acre of crop land on the farm used in 1936 for soil conserving crops and soil building crops, or (b) shall not exceed \$10.00 for the farm, whichever is the larger.

<sup>1</sup> 48 Stat. 881.

<sup>2</sup> The term "farm" as used herein shall mean all tracts of farm land in the same county under the same ownership and operated in 1936, as all or part of a single farming unit, by the same operator.

<sup>3</sup> The "North Central Region" includes the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, South Dakota, and Nebraska.

<sup>4</sup> The term "crop land" as used herein shall mean all land from which any crop (other than wild hay) was harvested in 1935 together with all other farm land which is tillable and from which at least one crop (other than wild hay) has been harvested since January 1, 1930.

2. *Soil Conserving.*—Payment will be made with respect to each acre of the base acreage for the farm of any soil depleting crop or any group of such crops which in 1936 is used for the production of any soil conserving crop or any soil building crop, or is devoted to any approved soil conservation or building practice. The amount of such payment made with respect to any farm shall be computed as follows:

Soil depleting crop	Payment for each acre of the base acreage used in 1936 in the manner specified above	Maximum acreage with respect to which payment will be made
(a) All soil depleting crops except cotton, tobacco, sugar beets, and flax.	An average for the United States of \$10 per acre, varying among states, counties, and individual farms, as the productivity of the crop land used for these crops varies from the average productivity of all such crop land in the United States. <sup>1</sup>	15 percent of the base acreage for the farm of all soil depleting crops except cotton, tobacco, sugar beets, and flax.
(b) Cotton.	5¢ for each pound of the normal yield per acre of cotton for the farm.	35 percent of the cotton base acreage for the farm. <sup>2</sup>
(c) Tobacco.	For each pound of the normal yield per acre of tobacco for the farm at the following rates per pound of specified kinds of tobacco, as follows: (1) 5¢ for Burley. (2) 3½¢ for dark air-cured. (3) 3¢ for Miami Valley types 42, 43, & 44, Wisconsin types 54 & 55, or any other kind of tobacco.	30 percent of the base acreage for the farm.
(d) Sugar beets and flax.	Payments which will be made with respect to sugar beets and flax are set forth in sections 4 and 5.	

<sup>1</sup> The rate per acre will vary among the states and counties depending upon the productivity of crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghum, soybeans, cowpeas, dry edible beans, potatoes, sweet potatoes, sweet sorghum for syrup, and broom corn; and vary among farms within the county depending upon the productivity of crop land.

<sup>2</sup> The total payment made in any county pursuant to this provision will be made with respect to an acreage not exceeding 25 percent of the aggregate of the cotton base acreages which could be established for all the farms in the county.

3. *Minimum acreage of Soil Conserving Crops.*—No payment shall be made with respect to any farm, in accordance with any of the provisions herein, unless the total acreage of soil conserving crops and soil building crops on crop land on the farm in 1936 equals or exceeds either (a) 20 percent of the base acreages of all soil depleting crops<sup>3</sup> for the farm, or (b) the maximum acreage with respect to which soil conserving payment could be obtained pursuant to the provisions of section 2.

4. *Sugar Beets.*—Payment will be made with respect to any farm on which sugar beets are grown in 1936, in an amount for each acre of such crops grown on the farm in 1936, not in excess of the base acreage for sugar beets for the farm, equal to 12½ cents for each 100 pounds, raw value, of sugar recoverable from the normal yield per acre of sugar beets for the farm: *Provided*, There is grown on the farm in 1936 on crop land as well adapted to sugar beets as the land on the farm on which such crop is grown in 1936, an acreage of soil conserving crops or soil building crops, in addition to the acreage devoted to soil conserving or soil building crops or to soil conservation or building practices pursuant to the provision of any other section herein, equal to not less than 50 percent of the acreage of sugar beets grown on the farm in 1936.

5. *Flax.*—Payment will be made with respect to any farm on which flax is grown in 1936, in an amount for each acre of flax grown on the farm in 1936, not in excess of the base acreage for flax for the farm, equal to 20 cents per bushel of the normal yield per acre of flax for the farm: *Provided*, There is grown on the farm in 1936, on crop land as well adapted to flax as the land on the farm on which flax is grown in 1936, an acreage of soil conserving crops or soil

<sup>3</sup> Not including sugar beets or flax. Any payment made with respect to any farm on which any of these crops are grown in 1936 shall also be conditioned upon the provisions of sections 4 and 5.

building crops, in addition to the acreage devoted to such crops or to soil conservation or building practices pursuant to the provisions of any other section herein, equal to not less than 20 percent of the acreage of flax grown on the farm in 1936.

6. *Adjustment in Rates.*—The rates specified in sections 2, 4, and 5 are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers. If participation in any region exceeds that estimated for that region, all the rates specified in sections 2, 4, and 5 for such region will be reduced pro rata. If participation in any region is less than the estimate for the region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10 percent.

7. *Increase of Soil Depleting Crops.*—If the acreage on any farm in 1936 of any soil depleting crop or any group of soil depleting crops<sup>4</sup> is in excess of the base acreage for the farm for such crop or group of crops, a deduction from any payment which otherwise would be made for the farm pursuant to any of the provisions herein will be made for each acre of such excess acreage at the rates per acre specified in section 2 above for the diversion of land to soil conserving crops and soil building crops from the particular crop or group of crops which exceed their bases.

#### ESTABLISHMENT OF BASES

##### North Central Region

The county committees will recommend for approval by the Secretary a soil depleting base acreage for each farm. Such base acreage shall represent a normal acreage of soil depleting crops for the farm determined as indicated below:

SECTION 1. The base acreage of soil depleting crops shall be the acreage of such crops harvested in 1935,<sup>5</sup> subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented", "contracted", or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the acreage of soil depleting crops harvested in 1935 was less than the number of acres of such crops usually harvested on the farm, such acres shall be increased to the acreage which is comparable to the acreage of such crops harvested on such farm under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as indicated above, is materially greater or less than such acreage on farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a base acreage for such farm which is equitable as compared with the base acreage for such other similar farms.

SECTION 2. A county ratio of soil depleting crop acreage to all farm land will be established for each county by the Agricultural Adjustment Administration from available statistics. The average of the ratios of the soil depleting base acreages which are established for all farms in any county shall conform to the ratio for such county unless a variance from such ratio is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SECTION 3. A separate base acreage shall be established for each of the following crops: cotton, tobacco, flax, and sugar beets.

A. *Cotton and tobacco.*—The base acreage for cotton and tobacco, respectively, for a farm shall be the base acreage which was established for such farm under the procedure for adjustment programs for 1936, or which could have been

<sup>4</sup> For the purposes of this section, sugar beets, sugarcane for sugar, flax, and rice shall be included in the group of soil depleting crops, which includes all such crops except cotton, tobacco, peanuts, sugar beets, sugarcane for sugar, flax, and rice.

<sup>5</sup> Where more than one soil depleting crop was harvested from the same land in 1935, the acreage shall be counted only once.

established under such procedure, subject to adjustments as indicated below:

(1) There shall be deducted from the 1935 acreage of any soil depleting crops other than cotton or tobacco, such part of the "rented" acreage under 1935 cotton or tobacco, adjustment program as was added to the usual acreage of such other soil depleting crops.

(2) If the total of the base acreages for cotton and tobacco of any farm exceeds the annual average of the total acreage of such crops harvested in a representative period preceding 1934, such base acreages shall be adjusted downward to eliminate such excess. Unless a more practicable method of adjustment is settled upon, a pro-rata basis shall be used.

(3) Where the soil depleting acreages determined for any farm as indicated above differ materially from such acreages determined for farms located in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, adjustments will be made which will result in base acreages which are equitable as compared with the base acreages of such other similar farms.

The total base acreages for cotton and tobacco respectively for farms in any county or other specified area shall not exceed the base acreages for such crops established for such county or other specified area by the Agricultural Adjustment Administration.

**B. Flax.**—The county committee shall in accordance with instructions issued by the Secretary recommend for each farm a base acreage for flax which it determines to be equitable based upon the farming plans made with respect to flax and the ability of the operator to provide the facilities required for the production of flax.

The total of the base acreage for flax in any county or other specified area shall not exceed the base acreage of flax established for such county or other specified area by the Agricultural Adjustment Administration.

**C. Sugar beets.**—The county committees will recommend for approval by the Secretary a base acreage of sugar beets which is determined on the basis of the following and other available information to be an equitable base for the farm:

(1) The base which has been or could have been established for the farm pursuant to the Secretary's announcement of November 25, 1935.

(2) The facilities, including land, for the production of sugar beets, and the past use of such facilities.

The total base acreage for 1936 for all farms in any specified district shall not exceed the acreage equivalent of the proportionate share, as determined by the Secretary, of the total quantity of production required to enable the producing area of which the specified district is a part, to meet its marketing quota as established by the Secretary under the provisions of the Jones-Costigan Act.

**SECTION 4.** Any person who has reason to believe that he has not received an equitable base may request the county committee to reconsider its recommendation. If no agreement is reached by such person and the committee, an appeal may be made in accordance with rules prescribed by the Secretary.

#### CLASSIFICATION OF CROPS

##### North Central Region

Crop acreage when devoted to crops and used as indicated below shall be considered in the following classification, except for such additions or modifications as may be approved by the Secretary upon the recommendation of the State Committee.

Changes in the use of land which involve the destruction of feed, fibre, or feed grains will not be approved as either soil conserving or soil building uses of such land.

##### Soil Depleting Crops:

1. Corn (field, sweet, broom, and popcorn).
2. Cotton.
3. Tobacco.
4. Irish potatoes.

5. Sweet potatoes.
6. Rice.
7. Sugar beets.
8. Hemp.
9. Cultivated sunflowers.
10. Commercial truck and canning crops, melons, and strawberries.
11. Grain sorghums and sweet sorghums.
12. Small grains, harvested for grain or hay (wheat, oats, barley, rye, buckwheat, flax, emmer, speltz, and grain mixtures).
13. Annual grasses, harvested for hay or seed (sudan and millets).
14. Annual legumes, harvested for grain or hay (soybeans, field beans, cowpeas, and field peas).
15. Unless otherwise recommended by the State Committee and approved by the Secretary, all idle crop land in 1936 shall be considered as having been devoted to soil depleting uses.

##### Soil Conserving Crops:

1. *Annual legumes*, including vetch, winter peas, and crimson clover; *biennial legumes*, including sweet, red, alsike, and Mammoth clovers; *perennial legumes*, including alfalfa, Lespedeza Sericea, and white clover; and *Annual Lespedeza*, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are pastured or clipped green.
2. *Perennial grasses*, including bluegrass, Dallis, timothy, red-top, orchard, Bermuda, brome, crested and slender wheat grass, or grass mixtures, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are pastured or clipped green.
3. Crop acreage planted to forest trees since January 1, 1934.

##### Soil Building Crops:

1. *Annual legumes*.—(a) including vetch, winter peas, and crimson clover, when turned under as a green manure crop. Acreage seeded to these crops in the fall of 1935 and turned under in 1936.
- (b) including soybeans, field beans, field peas, and cowpeas, when turned under as a green manure crop.
2. *Biennial legumes*, including sweet, red, alsike, and Mammoth clovers; *perennial legumes*, including alfalfa, Lespedeza Sericea, and white clover; and annual varieties of *Lespedeza*, when seeded in 1936.
3. *Forest trees*, when planted on crop land in 1936.

*Neutral Classification* (not to be counted in establishing bases):

1. Vineyards, tree fruits, small fruits, or nut trees (not interplanted).<sup>a</sup>
2. Idle cropland.<sup>b</sup>
3. Cultivated fallow land.<sup>c</sup>
4. Wasteland, roads, lanes, lots, yards, etc.
5. Woodland, other than that planted since January 1, 1934.

#### FORMS

##### North Central Region

Attached hereto is the Work Sheet for the 1936 Soil Conservation Program. This form is to be filled in by the community committeeman with the aid of the operator. Instructions<sup>d</sup> for the preparation of the Work Sheet will be issued as soon as possible. County Listing Sheets for the summarization of the data on the Work Sheet and instructions pertaining to the County Listing Sheets will be issued later.

<sup>a</sup> If interplanted, such acreage shall carry the classification and actual acreage of the intercrop grown.

<sup>b</sup> Where, due to unusual weather conditions crop land was left idle in 1935, it may be reclassified upon recommendation of the State Committee and approval of the Secretary.

<sup>c</sup> Cultivated fallow land may be otherwise classified upon recommendation of the State Committee and approval of the Secretary.

<sup>d</sup> See p. 402.

State and County Code and Number.....

Form No. ....

United States Department of Agriculture  
Agricultural Adjustment Administration  
March 1936

1936 SOIL CONSERVATION PROGRAM

WORK SHEET—NORTH CENTRAL REGION

## SECTION I.

(Name of 1936 operator) (Address)

(Name of owner) (Address)

hereby submits information with respect to the land described below for consideration by the County Agricultural Adjustment Association. Nothing contained herein shall place any obligation upon any person.

Date ....., 1936.

(Signature of operator or owner)

SECTION II. This land is located ..... (Miles and direction)

from ..... on ..... Road,  
described as ..... of Section .....  
Township ....., Range .....

## SECTION III. Table I.

Utilization of Land		Commun. Com. Adj. (Acres) (c)
Crops or land use (a)	Harvested in 1935 (Acres) (b)	
1. All field corn.....		
2. Wheat.....		
3. Oats.....		
4. Barley.....		
5. Rye.....		
6. Soybeans, cowpeas.....		
7. Potatoes.....		
8. Vegetable crops.....		
9.....		
10.....		
11.....		
12.....		
13. Subtotal (1-12).....		
14. Alfalfa hay.....		
15. Clover, timothy hay.....		
16. Other tame hay.....		
17. Subtotal (14-16).....		
18. Idle crop land.....		
19. Cultivated fallow.....		
20. Rotation pasture.....		
21. Other plow pasture.....		
22. Wild hay.....		
23. Native pasture range.....		
24. Orchards, vineyards.....		
25. Other non-crop land.....		
26. Total acres.....		

TABLE II.—A. A. A. Contract Data.

Commodity (a)	Serial Number (b)	Bases		
		Years (c)	Acres (d)	Yield (e)
1.....				
2.....				
3.....				

TABLE III.—Base Acreage and Yield.

	Commun. Com. recom- mended		County Com. recom- mended		State Board Approved	
	Acres (b)	Yld. (c)	Acres (d)	Yld. (e)	Acres (f)	Yld. (g)
1. All soil depleting crops (Acres).....						
2. Special Crops.....						
3. (a).....						
4.....						
5.....						
6. Other soil depleting crops.....						

7. Other tracts of land owned, operated or controlled by operator.....

8. Tenure in 1936.....

Special Conditions.....

(Community Committeeman)

(Community Committeeman)

DIVISION OF PAYMENTS, LAND TO BE COVERED BY WORK SHEET,  
AND APPLICATION FOR GRANT

## North Central Region

A. *Definitions.*—As used herein the following terms shall have the following meanings:

(1) "Person" means an individual, partnership, association, or corporation.

(2) "Owner" means a person who owns land which is not rented to another for cash or a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

(3) "Share-tenant" means a person other than an owner or share-cropper who is entitled to operate a farming unit and to receive a portion of the crop produced on such farming unit, or the proceeds thereof. If a share-tenant sublets the farming unit to another share-tenant, and both such share-tenants are to share in the crop produced on such farming unit, or the proceeds thereof, both shall be deemed share-tenants.

(4) "Share-cropper" means a person who works a farm in whole or in part and receives for his labor a proportionate share of the crops produced thereon, or the proceeds thereof.

(5) "Farming unit" means all land under the supervision of an operator which is farmed by that operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

(6) "Principal soil depleting crop" means the soil depleting crop to which the greatest number of acres is devoted on the land for which a work sheet is executed in 1936. If there is no soil depleting crop which has a larger acreage than any other soil depleting crop on any land for which a work sheet is executed, the "principal soil depleting crop" shall be the soil depleting crop on such land which is of major importance in terms of acreage in the county in which such land is located. Upon recommendation by the State Committee and approval by the Secretary a different basis for determining the principal soil depleting crop may be employed.

B. *Division of Soil Conserving and Soil Building Payments.*—Both the soil conserving and soil building payments shall be divided between the owner and share-tenant in the same proportion as the principal soil depleting crop, or the proceeds thereof, is divided under their lease or operating agreement. Upon recommendation of the State Committee and approval by the Secretary a different basis for dividing the soil conserving and soil building payments may be employed where sugar beets constitute a soil depleting crop.

Any share of soil conserving or soil building payments shall be computed without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

C. *Land to be Covered by Work Sheet.*—The purpose of the work sheet is to obtain a survey of farming conditions and practices, and to facilitate the planning of farming operations which include desirable soil conservation and soil building practices and the determination of bases from which grants will be measured.

Land comprising two or more contiguous tracts under the same ownership, operated in 1936 as part or all of a single farming unit by a common operator, and located in two or more counties, shall be deemed to be located in the county in which the principal dwelling on such land is located, or, if there is no dwelling on such land, it shall be deemed to be located in the county in which the major portion of such land is located.

(1) Where one or more tracts of farm land in the same county are under the same ownership and are operated in 1936 as part or all of a single farming unit by a common operator such tract or tracts shall be covered by one work sheet.

(2) Where two or more tracts of farm land in the same county are under different ownerships, even though they are operated in 1936 as a single farming unit by a common operator, each separately owned tract shall be covered by a separate work sheet.

(3) Where two or more tracts of farm land in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated tract shall be covered by a separate work sheet.

**D. Persons Eligible to Make Application for Grant.**—(1) **Operators.**—An application for a grant as operator may be made by (a) an owner operating a farming unit owned by him; (b) a share tenant operating a farming unit rented by him on shares; and such other persons as may be designated as operators by the Secretary.

(2) **Owners.**—An application for a grant as owner may be made by an owner who is not operating the land with respect to which the application is made but who has rented such land to another on shares, and such other persons as may be designated as owners by the Secretary.

**E. Application for Grant.**—Grants will be made only upon application filed with the county committee. Each person applying for a grant will be required to show; (1) that work sheets had been executed covering all the land in the county owned, operated, or controlled by him; (2) the extent to which the conditions upon which the grant is to be made have been met. Any applicant who owns, operates, or controls land in more than one county in the same State may be required to file in the State office a list of all such land.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 20th day of March 1936.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 221—Filed, April 7, 1936; 1:00 p. m.]

#### 1936 SOIL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said act during 1936, in accordance with the following provisions and such other provisions as may hereafter be made:

##### RATES AND CONDITIONS OF PAYMENT

Payment will be made, in connection with the utilization in 1936 of the land on any farm<sup>1</sup> in the Western Region<sup>2</sup> of the United States, in the amounts and subject to the conditions hereinafter set forth:

1. **Soil Building Payments.**—Payment will be made for the planting of soil building crops on crop land<sup>3</sup> in 1936 and the carrying out of soil building practices on crop land or pasture in 1936, at such rates in any state, and for such crops and practices in any state, and upon such conditions as are recommended by the state committee for such state and approved by the Secretary: *Provided*, That the total soil building payment made with respect to any farm (a) shall not exceed an amount equal to \$1.00 for each acre of crop land on the farm used in 1936 for soil conserving crops and soil building crops, or (b) shall not exceed \$10.00 for the farm, whichever is the larger.

2. **Soil Conserving Payments.**—Payment will be made with respect to each acre of the base acreage for the farm of any soil depleting crop or any group of such crops which in 1936 is used for the production of any soil conserving crop or any

soil building crop, or is devoted to any approved soil conservation or building practice. The amount of such payment made with respect to any farm shall be computed as follows:

Soil depleting crop	Payment for each acre of the base acreage used in 1936 in the manner specified above	Maximum acreage with respect to which payments will be made
(a) All soil depleting crops except cotton, tobacco, sugar beets, flax, and rice.	An average for the United States of \$10 per acre, varying among states, counties, and individual farms as the productivity of the crop land used for these crops varies from the average productivity of all such crop land in the United States. <sup>4</sup>	16 percent of the base acreage for the farm of all soil depleting crops except cotton, tobacco, sugar beets, flax, and rice.
(b) Cotton	5¢ for each pound of the normal yield per acre of cotton for the farm.	35 percent of the cotton base acreage for the farm. <sup>4</sup>
(c) Tobacco	For each pound of the normal yield per acre of tobacco for the farm at the following rates per pound of specified kinds of tobacco, as follows: (1) 5¢ for Burley. (2) 3¢ for any other kind of tobacco.	30 percent of the base acreage for the farm.
(d) Sugar beets, flax, and rice.	Payments which will be made with respect to sugar beets, flax, and rice are set forth in sections 4, 5, and 6.	

<sup>1</sup> The rate per acre will vary among the states and counties depending upon the productivity of crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghum, soybeans, cowpeas, dry edible beans, potatoes, sweet potatoes, sweet sorghum for syrup, and broom corn; and vary among farms within the county depending upon the productivity of crop land.

<sup>2</sup> The total payment made in any county pursuant to this provision will be made with respect to an acreage not exceeding 25 percent of the aggregate of the cotton base acreages which could be established for all the farms in the county.

3. **Minimum Acreage of Soil Conserving Crops.**—No payment shall be made with respect to any farm, in accordance with any of the provisions herein, unless the total acreage of soil conserving crops and soil building crops on crop land on the farm in 1936 equals or exceeds either (a) 20 percent of the base acreages of all soil depleting crops<sup>4</sup> for the farm, or (b) the maximum acreage with respect to which soil conserving payment could be obtained pursuant to the provisions of section 2.

4. **Sugar Beets.**—Payment will be made with respect to any farm on which sugar beets are grown in 1936, in an amount for each acre of such crop grown on the farm in 1936, not in excess of the base acreage for sugar beets for the farm, equal to 12½ cents for each 100 pounds, raw value, of sugar recoverable from the normal yield per acre of sugar beets for the farm: *Provided*, there is grown on the farm in 1936 on crop land as well adapted to sugar beets as the land on the farm on which such crop is grown in 1936, an acreage of soil conserving crops or soil building crops, in addition to the acreage devoted to soil conserving or soil building crops or to soil conservation or building practices pursuant to the provision of any other section herein, equal to not less than 50 percent of the acreage of sugar beets grown on the farm in 1936.

5. **Flax.**—Payment will be made with respect to any farm on which flax is grown in 1936, in an amount for each acre of flax grown on the farm in 1936, not in excess of the base acreage for flax for the farm, equal to 20 cents per bushel of the normal yield per acre of flax for the farm: *Provided*, There is grown on the farm in 1936, on crop land as well adapted to flax as the land on the farm on which flax is grown in 1936, an acreage of soil conserving crops or soil building crops, in addition to the acreage devoted to such crops or to soil conservation or building practices pursuant to the provisions of any other section herein, equal to not less than 20 percent of the acreage of flax grown on the farm in 1936.

6. **Rice.**—Payment will be made with respect to any farm on which rice is grown in 1936: *Provided*: (1) There is devoted by the producer in 1936 to approved soil conserving

<sup>4</sup> Not including sugar beets, flax, or rice. Any payment made with respect to any farm on which any of these crops are grown in 1936 shall also be conditioned upon the provisions of sections 4, 5, and 6.

<sup>1</sup> The term "farm" as used herein shall mean all tracts of farm land in same county under the same ownership and operated in 1936, as all or part of a single farming unit, by the same operator.

<sup>2</sup> The "Western Region" includes the states of North Dakota, Kansas, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California.

<sup>3</sup> The term "crop land" as used herein shall mean all land from which any crop (other than wild hay) was harvested in 1935 together with all other farm land which is tillable and from which at least one crop (other than wild hay) has been harvested since January 1, 1930.



crops or practices, in addition to the acreage devoted to soil conserving or building crops or to soil conservation or building practices pursuant to the provisions of any other section herein, an acreage of rice land equal to not less than 20 percent of the rice base acreage of the producer, and (2) That no rice is planted by such producer in 1936 on land on which rice has been planted in any three years of the four-year period 1932 to 1935, inclusive. The amount of any such payment shall be computed as follows:

(a) In the event the acreage planted to rice by the producer in 1936 is equal to not less than 65 percent nor more than 80 percent of his rice base acreage, such payment will be made in the amount of 20 cents for each hundred pounds of the producer's domestic consumption quota of rice;

(b) In the event the acreage planted to rice by the producer in 1936 is less than 65 percent of his rice base acreage, such payment will be made at a rate which bears the same proportion to the rate specified in paragraph (a) above as the acreage of rice planted in 1936 bears to 65 percent of such rice base acreage;

(c) In the event the acreage planted to rice by the producer in 1936 is equal to more than 80 percent of the producer's rice base acreage, such payment will be made at a rate 5 percent less than the rate specified in paragraph (a) above for each 1 percent by which such 1936 rice acreage exceeds 80 percent of such rice base acreage.

7. *Adjustment in Rates.*—The rates specified in sections 2, 4, 5, and 6 are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers. If participation in any region exceeds that estimated for that region, all the rates specified in sections 2, 4, 5, and 6 for such region, will be reduced pro rata. If participation in any region is less than the estimate for the region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10 percent.

8. *Increase of Soil Depleting Crops.*—If the acreage on any farm in 1936 of any soil depleting crop or any group of soil depleting crops<sup>5</sup> is in excess of the base acreage for the farm for such crop or group of crops, a deduction from any payment which otherwise would be made for the farm pursuant to any of the provisions herein will be made for each acre of such excess acreage at the rates per acre specified in section 2 above, for the diversion of land to soil conserving crops and soil building crops from the particular crop or group of crops which exceed their bases.

#### ESTABLISHMENT OF BASES

##### Western Region

The county committees will recommend for approval by the Secretary a soil depleting base acreage for each farm. Such base acreage shall represent a normal acreage of soil depleting crops for the farm determined as indicated below:

SECTION 1. The base acreage of soil depleting crops shall be the acreage of such crops harvested in 1935,<sup>6</sup> subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented", "contracted", or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the acreage of soil depleting crops harvested in 1935 was less than the number of acres of such crops usually harvested on the farm, such acreage shall be increased to the acreage which is comparable to the acreage of such crops harvested on such farms under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as indicated above, is materially greater or less than such acreage on farms in the

same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a base acreage for such farm which is equitable as compared with the base acreage for such other similar farms.

SECTION 2. A county ratio of soil depleting crop acreage to all farm land will be established for each county by the Agricultural Adjustment Administration from available statistics. The average of the ratios of the soil depleting base acreages which are established for all farms in any county shall conform to the ratio for such county unless a variance from such ratio is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SECTION 3. A separate base acreage shall be established for each of the following crops: cotton, tobacco, flax, rice, and sugarbeets.

A. *Cotton and Tobacco.*—The base acreage for cotton and tobacco, respectively, for a farm shall be the base acreage which was established for such farm under the procedure for adjustment programs for 1936, or which could have been established under such procedure, subject to adjustments as indicated below:

(1) There shall be deducted from the 1935 acreage of any soil depleting crops other than cotton or tobacco, such part of the "rented" acreage under 1935 cotton or tobacco adjustment program as was added to the usual acreage of such other soil depleting crops.

(2) If the total of the base acreages for the crops cotton and tobacco on any farm exceeds the annual average of the total acreage of such crops harvested in a representative period preceding 1934, such base acreages shall be adjusted downward to eliminate such excess. Unless a more practicable method of adjustment is settled upon, a pro rata basis shall be used.

(3) Where the soil depleting acreages determined for any farm as indicated above differ materially from such acreages determined for farms located in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, adjustments will be made which will result in base acreages which are equitable as compared with the base acreages of such other similar farms.

The total base acreages for cotton and tobacco, respectively, for farms in any county or other specified area shall not exceed the base acreages for such crops established for such county or other specified area by the Agricultural Adjustment Administration.

B. *Rice.*—The base rice acreage for any farm for 1936 shall be the annual average rice acreage grown in the years 1929-1933, inclusive, by each producer participating in the production of rice on such farm in 1936, as allocated among such farm and any other farms whereon such producer participates in rice production in 1936: *Provided, however,*

(1) If, because any producer did not grow rice in any one or more of the years 1929-1933, inclusive, such annual average acreage is materially less than the base acreage for other farms in the same community which are similar with respect to size, type of soil, farming practices, and facilities for rice production, and which are operated by producers who did grow rice in all of the years 1929-1933, inclusive, the county committee shall recommend adjustments which will result in a base acreage which is equitable for the farm as compared with the base acreages for such other similar farms; and

(2) If, for the farm or farms on which a producer participates in the production of rice, such annual average acreage is materially greater than the bases for farms in the same community which are similar with respect to size, type of soil, farming practices, and facilities for rice production, the county committee shall recommend such adjustment as will result in a base acreage for such farm or farms which is equitable as compared with the base acreage of such other similar farms.

The total base acreage for all farms in any specified area shall not exceed the total base acreage established for such area by the Agricultural Adjustment Administration.

<sup>5</sup>For the purposes of this section, sugar beets, sugarcane for sugar, flax, and rice shall be included in the group of soil depleting crops, which includes all such crops except cotton, tobacco, peanuts, sugar beets, sugarcane for sugar, flax, and rice.

<sup>6</sup>Where more than one soil depleting crop was harvested from the same land in 1935, the acreage shall be counted only once.

**C. Flax.**—The county committee shall, in accordance with instructions issued by the Secretary, recommend for each farm a base acreage for flax which it determines to be equitable, based upon the farming plans made with respect to flax and the ability of the operator to provide the facilities other than land required for the production of flax.

The total of the base acreage for flax in any county or other specified area shall not exceed the base acreage of flax established for such county or other specified area by the Agricultural Adjustment Administration.

**D. Sugar Beets.**—The county committees will recommend for approval by the Secretary a base acreage of sugar beets which is determined on the basis of the following and other available information to be an equitable base for the farm:

(1) The base which has been or could have been established for the farm pursuant to the Secretary's announcement of November 25, 1935.

(2) The facilities, including land, for the production of sugar beets and the past use of such facilities.

The total base acreage for 1936 for all farms in any specified district shall not exceed the acreage equivalent of the proportionate share, as determined by the Secretary, of the total quantity of production required to enable the producing area of which the specified district is a part, to meet its marketing quota as established by the Secretary under the provisions of the Jones-Costigan Act.

**SECTION 4.** Any person who has reason to believe that he has not received an equitable base may request the county committee to reconsider its recommendation. If no agreement is reached by such person and the committee, appeal may be made in accordance with rules prescribed by the Secretary.

#### CLASSIFICATION OF CROPS

##### Western Region

Crop acreage when devoted to crops and used as indicated below shall be considered in the following classification except for such additions or modifications as may be approved by the Secretary upon the recommendation of the State Committee.

Changes in the use of land which involve the destruction of food, fibre, or feed grains will not be approved as either soil conserving or soil building uses of such land.

##### Soil Depleting Crops:

1. Corn (field, sweet, broom, and popcorn).
2. Cotton.
3. Tobacco.
4. Irish potatoes.
5. Sweet potatoes.
6. Rice.
7. Sugar beets.
8. Hemp.
9. Commercial truck and canning crops, melons, and strawberries.
10. Peanuts, if harvested as nuts.
11. Grain sorghums and sweet sorghums.
12. Small grains, harvested for grain or hay (wheat, oats, barley, rye, buckwheat, flax, emmer, speltz, and grain mixtures).
13. Annual grasses, harvested for hay or seed (Sudan and millets).
14. Summer legumes, harvested for grain or hay (soybeans, field beans, cowpeas, and field peas).

##### Soil-Conserving Crops:

1. *Annual legumes*, including vetch, winter peas, bur and crimson clover; *biennial legumes*, including sweet, red, alsike, and Mammoth clovers; *perennial legumes*, including alfalfa, sericea, and white clover; and *Annual Lespedeza*, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are pastured or clipped green.

2. *Perennial grasses*, including blue grass, Dallis, timothy, reedtop, orchard, Bermuda, brome, crested and slender wheat grass, or grass mixtures, with or without such nurse crops

as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are pastured or clipped green.

3. *Winter cover crops* including rye, barley, oats, and small grain mixtures, winter pastured or not, and turned under as green manure.

4. Crop acreage planted to forest trees since January 1, 1934.

##### Soil-Building Crops:

1. *Annual winter legumes*, including vetch, winter peas, bur and crimson clover, when turned under as a green manure crop.

2. *Biennial legumes*, including sweet, red, alsike, and Mammoth clovers; *perennial legumes*, including alfalfa, sericea, and white clover; and annual varieties of *Lespedeza*.

3. *Summer legumes*, including soybeans, field beans, field peas, and cowpeas, when turned under as a green manure crop.

4. *Forest trees*, when planted on crop land.

**Neutral Classification** (not to be counted in establishing bases):

1. Vineyards, tree fruits, small fruits, or nut trees (not interplanted).

2. Idle cropland.<sup>1</sup>

3. Cultivated fallow land, including clean cultivated orchards and vineyards.<sup>2</sup>

4. Wasteland, roads, lanes, lots, yards, etc.

5. Woodland, other than that planted at owner's expense since 1933.

#### FORMS

##### Western Region

Attached hereto is the Work Sheet for the 1936 Soil Conservation Program. This form is to be prepared in triplicate. Instructions<sup>3</sup> for the preparation for this Work Sheet will be issued as soon as possible. County Listing Sheets for the summarization of the data on the Work Sheet and instructions pertaining to the County Listing Sheets will be issued later.

State and County Code and Number.....

Form No. ....

U. S. Department of Agriculture  
Agricultural Adjustment Administration  
March 1936

##### 1936 SOIL CONSERVATION PROGRAM WORK SHEET—WESTERN REGION "A"

##### SECTION I.

(Name of 1936 operator) (Address)

(Name of owner) (Address)

submits information with respect to the land described below for consideration by the County Agricultural Adjustment Association. Nothing contained herein shall place any obligation upon any person.

Date....., 1936.

(Signature of owner or operator)

**SECTION II.** Land is located ..... (Miles and direction)

from ..... on ..... Road,

(Town)  
in ..... Township; OR Legal description  
in .....  
County, State of .....

##### SECTION III. Utilization of Land.

Crop or land use	1935	Adjusted
	A	B
1. Corn.....	.....	.....
2. Winter Wheat.....	.....	.....
3. Spring Wheat.....	.....	.....
4. Oats for grain.....	.....	.....

<sup>1</sup> Where, due to unusual weather conditions cropland was left idle in 1935, it may be reclassified upon the approval of the State Committee and the approval of the Secretary.

<sup>2</sup> Cultivated fallow land may be otherwise classified upon recommendation of the State Committee and approval of the Secretary.

<sup>3</sup> See p. 430.

## Section III. Utilization of Land—Continued.

Crop or land use	1935	Adjusted
	A	B
5. Barley.....		
6. Rye for grain.....		
7. Flax.....		
8. Sugar Beets for sugar.....		
9. Potatoes.....		
10. Grains cut for hay.....		
11. ....		
12. ....		
13. ....		
14. Truck and Vegetable Crops.....		
15. ....		
16. ....		
17. Sweet Clover.....		
18. Clover and Timothy.....		
19. Other tame Hay.....		
20. ....		
21. ....		
22. ....		
23. ....		
24. ....		
25. ....		
26. Orchards and Vineyards.....		
27. ....		
28. Total Crop Acreage.....		

## SECTION IV. Distribution of Farm Acreage.

1. Total acreage all land.....	
2. Roads, lanes, fences, lots, etc.....	
3. Woods, waste, etc.....	
4. Pasture and range land.....	
5. Wild hay.....	
6. Subtotal (Items 2 to 5 Incl.).....	
7. Total crop acreage.....	

## SECTION V. Former A. A. A. Contracts.

Commodity	Serial No.	Base		
		Years	Acres	Yield
1. ....				
2. ....				
3. ....				

## SECTION VI. Yield of Major Crops on Land.

Crop	Yield per acre		
	Reported	Adjusted	Final
1. ....			
2. ....			
3. ....			

## SECTION VII. Base Acreage.

1. Soil-Depleting Crops.....	Acres
(a) (Name of crop) (Acres) (Allotment)	
(b) (Name of crop) (Acres) (Allotment)	
2. Soil-Conserving Crops.....	Acres
Date ....., 1936. Reviewed by .....	

State and County Code and Number.....

Form No. ....

U. S. Department of Agriculture  
Agricultural Adjustment Administration  
March 1936

1936 SOIL CONSERVATION PROGRAM

WORK SHEET—WESTERN REGION "B"

SECTION I. ....

(Name of 1936 operator) (Address)

(Name of owner) (Address)

submits information with respect to the land described below for  
consideration by the County Agricultural Adjustment Association.

Nothing contained herein shall place any obligation upon any person.

Date ....., 1936.

(Signature of owner or operator.)

SECTION II. Land is located ..... from  
(Miles and direction)..... on ..... Road, in  
(Town)

..... Township; OR Legal description: .....

....., in ..... County, State of .....

## SECTION III. Utilization of Land.

Crop or land use	1935	Adjusted
	A	B
1. Corn.....		
2. Wheat.....		
3. Cotton.....		
4. Oats for grain.....		
5. Barley.....		
6. Rye.....		
7. Flax.....		
8. Sugar Beets for sugar.....		
9. Potatoes (Irish & Sweet).....		
10. Grains cut for hay.....		
11. ....		
12. ....		
13. ....		
14. Truck & Vegetable Crops.....		
15. ....		
16. ....		
17. Clover and Timothy.....		
18. Other Tame Hay.....		
19. ....		
20. ....		
21. ....		
22. ....		
23. ....		
24. Vineyards.....		
25. Orchards & Small Fruits.....		
26. ....		
27. ....		
28. Total Crop Acreage.....		

## SECTION IV. Distribution of Farm Acreage.

1. Total acreage all land.....	
2. Roads, lanes, fences, lots, etc.....	
3. Woods, waste, etc.....	
4. Pasture and range land.....	
5. Wild hay.....	
6. Subtotal (Items 2 to 5, Incl.).....	
7. Total crop acreage.....	

## SECTION V. Former A. A. A. Contracts.

Commodity	Serial No.	Base		
		Years	Acres	Yield
1. ....				
2. ....				
3. ....				

## SECTION VI. Yield of Major Crops on Land.

Crop	Yield per acre		
	Reported	Adjusted	Final
1. ....			
2. ....			
3. ....			

## SECTION VII. Base Acreage.

1. Soil Depleting Crops.....	Acres
(a) (Name of crop) (Acres) (Allotment)	
(b) (Name of crop) (Acres) (Allotment)	
2. Soil-Conserving Crops.....	Acres
Date ....., 1936. Reviewed by .....	



DIVISION OF PAYMENTS, LAND TO BE COVERED BY WORK SHEET,  
AND APPLICATION FOR GRANT

*Western Region*

A. *Definitions.*—As used herein, the following terms shall have the following meanings:

(1) "Person" means an individual, partnership, association, or corporation.

(2) "Owner" means a person who owns land which is not rented to another for cash or for a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

(3) "Share tenant" means a person other than an owner or share-cropper who is operating an entire farming unit without direct supervision of the owner and who is entitled to a portion of the crop produced on such farming unit, or the proceeds thereof.

(4) "Share cropper" means a person who works a farm in whole or in part and receives for his labor a proportionate share of the crops produced thereon, or the proceeds thereof.

(5) "Farming unit" means all land under the supervision of an operator which is farmed by that operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

(6) "Principal soil depleting crop" means the soil depleting crop to which the greatest number of acres is devoted on the land for which a worksheet is executed in 1936. If there is no soil depleting crop which has a larger acreage than any other soil depleting crop on any land for which a worksheet is executed, the "principal soil depleting crop" shall be the soil depleting crop on such land which is of major importance in terms of acreage in the county in which such land is located. Upon recommendation by the State Committee and approval by the Secretary a different basis for determining the principal soil depleting crop may be employed.

B. *Soil Conserving and Soil Building Payments.*—Both the soil conserving and soil building payments shall be divided between the owner and share-tenant in the same proportion as the principal soil depleting crop or the proceeds thereof is divided under their lease or operating agreement except that in counties in which cotton constitutes the principal soil depleting crop and in such other counties as may be designated by the Secretary, the soil conserving payment and the soil building payment shall be divided as follows:

(1) *Soil Conserving Payment.*—

(a) 37½ percent to the producer who furnishes the land.

(b) 12½ percent to the producer who furnishes the workstock and equipment.

(c) 50 percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in the principal soil depleting crop or the proceeds thereof in 1936.

(2) *Soil Building Payment.*—If a farm is operated under a crop share lease or agreement, the soil building payment shall be divided equally between the owner and the share tenant unless a different division agreed upon and indicated in the application for a grant.

Any share of soil conserving or soil building payments shall be computed without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

(3) *Payments with respect to Sugar beets and Rice.*—The above division of payments does not apply to payments made in connection with soil building crops and practices required under the provisions for sugar beets and rice. Such payments with respect to rice shall be divided in proportion to contributions to the base. Upon recommendation by the State Committee and approval by the Secretary a different basis for dividing the soil conserving and soil building payments may be employed where sugar beets constitute a soil depleting crop.

C. *Land to be Covered by Work Sheet.*—Land comprising two or more contiguous tracts under the same ownership, operated in 1936 as part or all of a single farming unit by a common operator, and located in two or more counties, shall be deemed to be located in the county in which the principal dwelling on such land is located, or, if there is no dwelling on such land, it shall be deemed to be located in the county in which the major portion of such land is located.

The purpose of the worksheet is to obtain a survey of farming conditions and practices, and to facilitate the planning of farming operations which include desirable soil conservation practices and the determination of bases from which grants will be measured.

(1) One or more tracts of farm land in the same county under the same ownership and operated in 1936 as part or all of a single farming unit by a common operator shall be covered by one work sheet.

(2) Where two or more tracts of farm land in the same county are under different ownerships, even though they are operated in 1936 as a single farming unit by a common operator, each separately owned tract shall be covered by a separate work sheet.

(3) Where two or more tracts of farm land in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated tract shall be covered by a separate work sheet.

D. *Persons Eligible to Make Application for Grant.*—(1) *Operators.*—An application for a grant as operator may be made by (1) an owner operating a farming unit owned by him; (b) a share tenant operating a farming unit rented by him on shares; and such other persons as may be designated as operators by the Secretary.

(2) *Owners.*—An application for a grant as owner may be made by an owner who is not operating the land with respect to which the application is made but who has rented such land to another on shares, and such other persons as may be designated as owners by the Secretary.

E. *Application for Grant.*—Grants will be made only upon applications filed with the county committee. Each person applying for a grant will be required to show: (1) that work sheets had been executed covering all the land in the county owned, operated, or controlled by him; (2) the extent to which the conditions upon which the grant is to be made have been met. Any applicant who owns, operates, or controls land in more than one county in the same state may be required to file in the state office a list of all such land.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 20th day of March 1936.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 223—Filed, April 7, 1936; 1:00 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of April 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

IN THE MATTER OF CHARLES C. WILLSON, 507 WOODWARD  
BUILDING, WASHINGTON, D. C.

ORDER REFUSING REGISTRATION PURSUANT TO RULE MA4

Charles C. Willson having filed a registration statement on December 16, 1935, under Rule MA2 of the Commission adopted pursuant to Section 15 and Section 23 of the Securities Exchange Act of 1934; and

The Commission having ordered a hearing on this application by order dated January 3, 1936, to determine whether grounds existed for refusal or postponement of registration under Rule MA4 of the Commission adopted pursuant to the above Section 15 and Section 23, and a hearing in this matter having been duly held on January 13, 1936; and applicant having had an opportunity to be heard before the Commission on January 22, 1936; and

The Commission, by order dated January 18, 1936, having entered findings and issued an order postponing effective date of registration pending a determination as to whether or not registration should be refused; and

The Commission, on February 17, 1936, having issued a supplemental order for hearing on application for registration under Rule MA2 and further hearings having been held on February 20, 1936, and February 24, 1936, and the trial examiner having filed reports on January 17, 1936, and March 9, 1936, respectively, and the applicant having filed exceptions to the trial examiner's report of March 9, 1936; and the matter having been argued before the Commission on March 20, 1936, in accordance with the Commission's Rules of Practice; and

The Commission having duly considered the full record of this matter and being duly advised in the premises and having entered its findings in this matter on April 2, 1936;

It is ordered, pursuant to Rule MA4, that in accordance with these findings the registration of Charles C. Willson be and the same is herewith refused.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 204—Filed, April 6, 1936; 12:28 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of April A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

[File No. 31-117]

IN THE MATTER OF THE APPLICATION OF PROTECTIVE COMMITTEE UNDER DEPOSIT AGREEMENT DATED AS OF JANUARY 15, 1932, FOR SECURED GOLD DEBENTURES 5½% SERIES DUE 1953 OF AMERICAN COMMUNITY POWER COMPANY

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission by Protective Committee under Deposit Agreement dated as of January 15, 1932, for Secured Gold Debentures 5½% Series Due 1953 of American Community Power Company, pursuant to Section 3 (a) (4) of the Public Utility Holding Company Act of 1935.

It is ordered, that the matter be set down for hearing on the 24th day of April 1936 at two o'clock in the afternoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than April 20, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 272—Filed, April 9, 1936; 12:52 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of April A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

[File No. 31-39]

IN THE MATTER OF THE APPLICATION OF TRUSTEES UNDER VOTING TRUST OF THE COMMON STOCK OF CENTRAL HUDSON GAS AND ELECTRIC CORPORATION

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Trustees Under Voting Trust of the common stock of Central Hudson Gas and Electric Corporation, pursuant to Section 3 (a) (1) of the Public Utility Holding Company Act of 1935;

It is ordered, that the matter be set down for hearing on the 27th day of April 1936, at 10:00 o'clock in the morning of that day at Room 1101, Securities and Exchange Building, 1773 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person, desiring to be admitted as a party in this proceeding, or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than April 22, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 273—Filed, April 9, 1936; 12:53 p. m.]

Saturday, April 11, 1936

No. 21

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48243]

CUSTOMS REGULATIONS AMENDED

ARTICLE 455, CUSTOMS REGULATIONS OF 1931, AMENDED TO EXTEND THE PROVISIONS OF SECTION 309 (A), TARIFF ACT OF 1930, AND THE REGULATIONS THEREUNDER, RELATING TO VESSEL SUPPLIES, TO CERTAIN CIVIL AIRCRAFT—T. D. 46522, WITH RESPECT TO EXEMPTION FROM IMPORT TAX OF CERTAIN ARTICLES ALSO EXTENDED TO CERTAIN CIVIL AIRCRAFT

APRIL 7, 1936.

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in Section 7 (b) of the Air Commerce Act of 1926,<sup>1</sup> and Section 644 of the

<sup>1</sup>44 Stat. 572.